



TSN MONTHLY COMMITTEE REPORT SEPTEMBER 2011

Account Management Committee

The Account Management, Broker Account Subcommittee and Surety Account Subcommittee met at the Trade Support Network (TSN) Conference on September 23 to discuss four outstanding GIFs (Great Idea Forms) that need to be finalized: PSC Portal Functionality GIF, Document Image System GIF, Expansion of Declaration Record Types GIF and Corrections to the PGA Message Set GIF. Originally the PSC Portal Functionality GIF covered both the ability to correct entry summaries one summary at a time, and the ability to do a batch upload of corrections. The Committee decided to split the GIF into two GIFs and focus first on the ability to correct entry summaries one summary at a time via the ACE Portal. Importers felt their ability to correct their entry summaries had been taken away since CBP will no longer accept paper Post Entry Amendments (PEA) from the importer if the entry summary was filed in ACE. Today many importers prepare their own PEAs. The DIS GIF was also split into two GIFs one requesting the ability to access images submitted through the DIS portal and the other addressing access to DIS information in reports. As part of cargo release, the trade community is requesting the ability to make changes to the PGA Message Set via EDI and through the ACE Portal. The GIF also requests that all PGA data elements be available in ACE Reports. Modifications were made to the Expansion of Declaration Record Types GIFs based on input from the Drawback/Reconciliation/Accounts cross committee meeting.

The Account Management Committee and the Broker Account Subcommittee drafted and submitted CSPO GIF 1202 to CBP addressing the fact that existing Aggregate and Detail Cargo Entry reports need to be modified to include **all** of the data elements from the simplified entry (whatever the final number of data elements is) that are not currently available in the existing Cargo Entry reports, such as Shipper Name and Address, Buyer Name and Address, Bill of Lading or Air Waybill Number, etc. In addition the GIF recommends that a new field (indicator) needs to be added to the Aggregate and Detail Cargo Entry reports reflecting the fact that this is a Simplified Entry filing. AD-003, Cargo Entry Report extract, would also need to be updated to include all data elements from the simplified entry as well as an indicator reflecting the fact that this is a Simplified Entry filing. Should CBP create a new report that just includes Simplified Entries, the trade community requests access to that report as well and recommends the following filters be available when the report is run: Importer of Record Number, Entry Number, Bill of Lading Number/House Air Waybill Number, Port of Entry and Cargo Entry Date range.

The Surety Account Subcommittee attended the joint e-Bond/Surety Subcommittee meeting at the TSN conference to discuss the e-STB process documented for ACE cargo release.

Entry Committee

The Entry Committee met at the TSN and is working with CBP to get clarification on a number of issues related to Post Summary Corrections:

- Additional clarification is sought with regard to the visibility of data elements (for the original entry summary filer vs. the PSC filer) once a PSC is filed.
- For purposes of a refund, will de minimis amounts be reflected in the record? That is, will this be recorded in the liquidation amounts?

- If a PSC converts from a 01 entry type to a 03 does that immediately go for team review and does that require a cash bond?
- Additionally, the Committee is waiting for additional guidance from CBP on (1) whether the obligation of the broker to retain records is satisfied by maintaining the entry data elements in the electronic form in which they were filed or whether there is also an obligation to produce the CBP forms even though these were not created at the time the entry/entry summary was filed; and (2) what records are the importers required to produce upon CBP request?
- The Committee is also reviewing the cargo release GIF status spreadsheet and will follow up with CBP with any comments/questions

Export, Multi-Modal Manifest, ITDS Joint Committee Report (Automated Export Manifest)

The Export, MMM and ITDS Committees met on September 23rd at the TSN Plenary Session. The three committees are working with CBP on the development of user requirements for the automated export manifest. Some of the major issues discussed at this session are listed below:

- CBP has funding to begin development of an automated export manifest. The initial goal is to focus on the basic requirements we need to build the export manifest and focus on enhancements after the initial build.
- Bill Delansky met with the rail carriers and they are drafting requirements for the rail export manifest for Bill's review. CBP plans to work with each mode of transportation to develop their requirements. Each mode will have their own Implementation Guides (IGs) and CBP will use the existing IGs to build the system.
- The baseline document for developing the export manifest will be the CBP Automated Export Requirements Document (Public Version) dated January 19, 2011. This document laid out the background and high level requirements (trade and PGA), for an export manifest that we will build on going forward. The document also addressed links to commodity data currently filed in AES and the export license and control information filed per authority of other government agencies.
- The trade requirements were developed by the Export, ITDS, and MMM committees over the years and need review and revalidation in the next phase.
- CBP does not have a definite timeline for beginning the requirement development process. He is awaiting determination of a contract team that will facilitate the requirement development process similar to what was done for cargo release.
 - o Once the contract team is in place, CBP will begin working with the trade committees and PGAs to begin the user requirement revalidation process and delete, update, and/or add user requirements. This will be done via conference calls and physical meetings with the trade committees.
- The requirement development process will also focus on developing PGA requirements. PGAs participated in the initial development of requirements and they will continue to work with the CBP and the cross committee work group.

Export Committee

The Export Committee met on September 23 at the TSN Plenary Session. Presently the Export committee is working with the MMM and ITDS committees in the development of user requirements for an automated export manifest, as well as updating the Export Committee member list to identify all active members and delete members who are no longer active, nor able to participate. The committee will be reviewing current Export GIFs that have been submitted to ensure that they represent the current business models. The GIFs from the export committee will need to connect in with the development of the export manifest work.

ITDS Committee

The ITDS committee met in a joint committee session with the Export and MMM committee on September 23 at the TSN Plenary session. The committee will be working with the Multi-Modal Manifest and Export committees on developing operational user requirements for the automated export manifest for all modes of transportation. The ITDS committee will focus on the roles of the PGAs in export manifest processing and the impact this will have on the trade.

Legal Policy Committee

The Legal Policy Committee met at the Trade Support Network (TSN) Conference on September 23 to discuss the following agenda items:

- **Visibility to PSC Information:**
The Committee has asked for additional guidance from CBP with respect to whether the original filer will have the same level of visibility to data as was available before the PSC was filed?
- **Status of Cargo Release GIFs:**
Committee members were provided a spreadsheet that lists the current status of the trade GIFs, including comments from CBP. The Committee has requested additional follow up from the authoring Committees of two GIFs specific to MMM and ITDS.
- **Update on "Open Portal:**
Most of this discussion centered on a new account type to allow the legal community to participate in ACE as deemed appropriate by CBP. Lee Sandler agreed to chair a new Legal/Policy subcommittee to guide this process.
- **Web Based Posting of the Bulletin Notice of Liquidation:** CBP reported that the web based bulletin posting would be more limited in functionality than originally envisioned in the GIF submitted by the Liquidation Sub-Committee due to funding constraints. Only basic liquidation information will be made available on CBP.gov. Since posting of notice would be system generated, it would be inextricably tied to the act of liquidation and consistent with system records in that regard. The transition from posting of the legal notice of liquidation at the port of entry customhouse to this web posting will require a regulatory change at some time in the future.
- **New Business:** Stuart Schmidt suggested addressing those portions of the regulations that are no longer germane to CBP or the trade. All agreed that was an excellent idea and upon Ken Bargteil's suggestion, another sub-committee will be formed to begin the process. Stuart agreed, subject to work restraints, to chair this sub-committee.

Liquidation Subcommittee

The Legal Policy Committee's Liquidation Subcommittee received an update from CBP on September 23rd at the TSN Liquidation Committee meeting that the web based bulletin posting would be a more limited function than envisioned in the GIF since funding constraints would not allow for the security processes necessary to safeguard against greater data access to confidential information than might be authorized based on user privileges. Basic liquidation information only would be made available, but since posting of notice would be system generated it would be inextricably tied to the act of liquidation and consistent with system records in that regard. The transition from posting of the legal notice of liquidation at the port of entry customhouse to this web posting will require a regulatory change at some time in the future.

Multi-Modal Manifest Committee

The Multi-Modal Manifest Committee has met three times this year, most recently on September 23 at the TSN Conference in Arlington, VA. At that Conference, members were able to discuss issues relevant to other TSN Committees, with Customs and PGAs.

- Automated Export Manifest (AEM): After Cynthia Allen announced the plan to go-ahead with AEM at our meeting in July, we met at the Conference with Customs and the ITDS and Export Committees to discuss mutual concerns.
- Bill Delansky and Robert Rawls will be leading the effort and will convene a Working Group sometime in October or early November. This issue will be discussed with Bill and Robert at the MMM Meeting at USDA APHIS on Wednesday, October 26. We expect to not only discuss the AEM with Bill and Robert but to also hear of the status of funding and of a proposed timeline for delivery.
- An interim solution is taking shape whereby export manifest-filers may be able to attach their export manifest to an email sent to Customs. This interim solution, if finalized, would remove the necessity of filing paper manifest for every export vessel. The cost benefit to carriers and to Customs would be quite significant.

Revenue Committee

No new activity to Report for September 2011

Drawback Subcommittee (input from Ed Van Ek)

The Drawback Subcommittee met on September 23 to continue their discussion on the possibility of using the Post Summary Correction (PSC) framework to transition ACS drawback to ACE. The Sub-committee met with the Accounts and Reconciliation Subcommittees to share ideas on how certain elements of PSC could be used mutually for drawback and reconciliation and what additional programming will be needed.

One idea discussed was that, since PSC is an adjustment to an entry, filing a drawback entry is also an adjustment to an entry because the drawback claim designates import entries for certain duty amounts which are refunded. A PSC code could be used for drawback and the code would define certain elements particular to drawback. The system would then do certain edits based on the code. The drawback entry would have an identifier that gets tagged to an import entry so all import entries could be rolled up to recreate the drawback claim.

Missing pieces that would need to be developed are the financial function of payment of the duty refund and a link to an electronic export system for the proof of export.

The Sub-committee will meet again on October 6 to finalize its findings in a report to Cindy Allen.

e-Bond Subcommittee

The TSN eBond and Surety Account Subcommittees met on September 23, 2011 to discuss the e-STB process documented for ACE cargo release. As background information, prior to the meeting, members received a narrative recap of the e-STB process along with two flows for this process. ACE Cargo Release will be implemented as a pilot, for which parameters will be established via a Federal Register Notice. Continuous bonds for Cargo Release will be considered at a future date. Mike Davenport explained

that we are at the initial stages of working with CBP to develop the e-STB process for cargo release. Mike asked Subcommittee members to submit questions or concerns to him and Chip Bown.

Supply Chain Security Committee

No new activity to report for September 2011.

Transition Committee

No new business to report for September 2011.

Integrated Communications Subcommittee

The Integrated Communications Sub-Committee of the Transition Committee hosted a successful press conference call just after the recent plenary. The conference was attended by Broker Power, Journal of Commerce and American Shipper, all of the publications published articles as a result of the press conference. Simplified entry seemed to be the issue the press focused in on.